



**MINUTES OF A SPECIAL MEETING OF THE
UPLAND PLANNING COMMISSION
WEDNESDAY, OCTOBER 5, 2022
AT 6:30 P.M.**

1. CALL TO ORDER OF THE PLANNING COMMISSION SPECIAL MEETING

Chair Aspinall called the special meeting of the Upland Planning Commission to order at 6:30 p.m. in the Council Chambers of the Upland City Hall.

2. PLEDGE OF ALLEGIANCE

The pledge of allegiance was led by Vice Chair Grahn.

3. ROLL CALL

Present: Chair Aspinall, Vice Chair Grahn, Commissioners Caldwell, Johnson, Marotte, Mayer, and Staton.

Absent: None.

Staff present: Development Services Director and Planning Commission Secretary Dalquest, Planning Manager Farris, Senior Planner Winter, Deputy City Attorney Maldonado, and Administrative Analyst Davidson.

4. ORAL COMMUNICATIONS

Chair Aspinall opened oral communications. There being no remote or in-person speakers, Chair Aspinall closed oral communications.

5. PUBLIC HEARINGS

A. GENERAL PLAN AMENDMENT NO. 22-0001 REGARDING THE 2021-2029 HOUSING ELEMENT UPDATE

Project Description: Consideration on a recommendation to the City Council of the City of Upland on a General Plan Amendment for the adoption of the 2021-2029 Housing Element Update, pursuant to Article 10.6 of the Planning and Zoning Laws. The Housing Element is one of the seven mandatory elements of the City's General Plan, and it is required by state law, to be updated every eight years. The Housing Element includes analyses of the community's housing needs, opportunities and constraints, as well as policies and programs to facilitate the construction, rehabilitation, and preservation of housing for all economic segments of the community.

CEQA Determination: The Project is exempt from the CEQA Guidelines 14 Cal. Code. Regs Section 15061(b)(3) because it can be seen with certainty that there is no possibility that the Project may have a significant effect on the environment as set forth in Section 21080.17 of the Public Resources Code." The Project is further exempt pursuant to 14 Cal. Code. Regs Section 15162(a) of the CEQA Guidelines. Further, to the extent the Regional Housing Needs determinations are made, the Project is further exempt from the CEQA Guidelines 14 Cal. Code. Regs Section

15283, which provides, "CEQA does not apply to regional housing needs determinations made by the Department of Housing and Community Development, a council of governments, or a city or county pursuant to Section 65584 of the Government Code."

Applicant: City of Upland

Appeal Period: There is no appeal period, the Planning Commission's decision is a recommendation to the City Council.

Development Services Director introduced the item, the Housing Element consultant John Douglas, and noted that the Planning Commission is making a recommendation to City Council. The City Council will hold a public hearing to consider adoption of the Housing Element on October 24th and if approved, John Douglas will be submitting to Housing Community Development (HCD) for the City's third review. Development Services Director Dalquest turned the presentation over to John Douglas.

John Douglas provided an overview of the Housing Element drafting and review process for context, the new challenges presented during this cycle of the Housing Element review and noted the small percentage of jurisdictions that have been able to receive certification from HCD due to these challenges. Mr. Douglas opined that the difficulties presented during this cycle are largely driven by new directions derived from the political positions of the state's current administration. He provided an overview of HCD's comments on the City's second Housing Element draft and stated that there are no zoning changes proposed before the Planning Commission tonight, as part of this item, and that zoning changes would return to the Commission for separate action at a later date.

The Planning Commission inquired what would happen if the proposed zoning changes were not approved in the future; asked where the City is at with the number of units that have been built within the previous Housing Element cycle and how this is monitored; and inquired about the review differences involved in eliminating a use permit for multi-family development. Commissioner Johnson asked for clarification on the RHNA (Reginal Housing Needs Allocation) requirements.

Mr. Douglas provided information on the City's requirement to complete Annual Progress Reports to detail progress on implementing the programs that are called for in the Housing Element and stated that HCD's certification of our Housing Element is contingent on those program commitments.

Development Services Director Dalquest indicated the Annual Progress Report is presented to City Council in May; stated that HCD does not want cities to require a conditional use permit for multi-family residential development, and that implementing HCD's direction would involve a subsequent zoning code amendment to make multi-family residential development a use that is permitted by right, subject to a development plan review process. He stated that this process would allow less discretion but would allow the review site plans, design review, landscaping, elevations, in accordance with objective requirements and development standards.

Chair Aspinall opened the public hearing.

Natasha Walton, resident, requested that the Planning Commission not recommend that the City Council approve the Housing Element; indicated a disagreement with the City's CEQA determination; indicated a position that the Housing Element should

subject to CEQA and could have an impact on the environment; inquired about why a negative declaration was not completed; indicated the need to analyze park land, high density housing, public transportation, and traffic; and expressed concern about fees that haven't been increased.

Development Services Director Dalquest stated the Housing Element is a project under CEQA and noted the categorical and statutory exemptions that are detailed on the agenda.

The Planning Commission inquired about development impact fees and how often they are updated; and whether the zone changes that will occur following the Housing Element, would be subject to environmental review.

Development Services Director Dalquest development impact fees are done every five years; believes a study is currently being done but confirmed that the user fees were updated this year; and confirmed that environmental review under CEQA will be done for zone changes when they are considered.

Chair Aspinall closed the public hearing.

Development Services Director stated a correction needs to be made to the resolution for consistency indicating there are three (3) sections of CEQA exemptions stated in the agenda, Sections 15061(b)3, 15162(a), and 15283, and only one in the Resolution. He indicated that all three (3) sections would be added to the resolution.

Chair Aspinall stated there is another correction to a date the letter from HCD was received in 2022, not 2021.

It was moved by Commissioner Mayer, seconded by Commissioner Caldwell, and carried on a vote of 6-1 to approve recommending that the City Council approve General Plan Amendment No. 22-0001 regarding the 2021-2029 Housing Element Update, as amended.

6. PLANNING COMMISSION COMMENTS


Commissioner Johnson stated he respects the votes of the Commissioners and the hard work of staff and John Douglas, but noted he is opposed to the Housing Element because he values the City retaining more local control.

7. ADJOURNMENT

It was moved by Commissioner Staton, seconded by Commissioner Marotte, and carried on a vote of 7-0 to adjourn the meeting.

At 7:15 p.m., Chair Aspinall adjourned the meeting. The next regularly scheduled Planning Commission meeting is Wednesday, October 26, 2022.

SUBMITTED BY



Robert D. Dalquest, Secretary

APPROVED

October 26, 2022